

FILED

UNITED STATES COURT OF APPEALS

MAY 29 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

HOMAYAN KABIR,

Plaintiff - Appellee,

v.

CNMI PUBLIC SCHOOL SYSTEM,

Defendant,

and

JONAS BARCINAS,

Defendant - Appellant.

No. 08-16152

D.C. No. 1:7-cv-00034

District of the Northern Mariana
Islands

ORDER

FILED
Clerk
District Court

JUN - 3 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

The district court's order challenged in this appeal did not dispose of the action as to all claims and all parties. Within 21 days after the date of this order, appellant shall move for voluntary dismissal of this appeal or show cause why it should not be dismissed for lack of jurisdiction. *See* Fed. R. Civ. P. 54(b); *Chacon v. Babcock*, 640 F.2d 221 (9th Cir. 1981). If appellant elects to show cause, a response may be filed within 8 days after service of the memorandum.

KS/MOATT

If appellant does not comply with this order, the Clerk shall dismiss this appeal pursuant to Ninth Circuit Rule 42-1.

Briefing is suspended pending further order of the court.

FOR THE COURT:

Molly Dwyer
Clerk of Court

By: Kenneth Sogabe
Motions Attorney/Deputy Clerk
9th Cir. R. 27-7
General Orders/Appendix A